

Attorney Docket No.: 00CON114P-CIP2
Serial No.: 09/393,616

List of Claims:

Claims 1-31 (cancelled)

Claim 32 (currently amended): A ~~communication device~~ first modem for communication with a ~~remote device~~ second modem over a communication channel, said ~~communication device~~ first modem being in communication with a handset, said ~~communication device~~ first modem comprising:

an off-hook detector capable of detecting said handset going off-hook, while said ~~communication device~~ first modem is in communication with said ~~remote device~~ second modem, and further being capable of generating an attention signal in response thereto; and

a transmitter capable of transmitting a hold request to said ~~remote device~~ second modem in response to said attention signal;

wherein said handset is placed off-hook by a user for dialing an outgoing call, and wherein said communication between said ~~devices~~ modems over said communication channel ceases for a period of time after transmitting said hold request, and wherein said ~~communication device~~ first modem keeps an upper layer protocol alive during said period of time.

Claim 33 (currently amended): The ~~communication device~~ first modem of claim 32, wherein said hold request includes said period of time.

Claims 34-40 (cancelled)

Claim 41 (currently amended): The ~~communication device~~ first modem of claim 32, wherein said hold request is transmitted using a secondary channel.

Claim 42 (currently amended): The ~~communication device~~ first modem of claim 32, wherein said ~~device~~ first modem receives an acknowledgement in response to said hold request.

Claim 43 (cancelled)

Attorney Docket No.: 00CON114P-CIP2

Serial No.: 09/393,616

Claim 44 (currently amended): A communication method for use between a first ~~device~~ modem and a second ~~device~~ modem in communication over a communication channel, said first ~~device~~ modem being in communication with a handset, said communication method comprising the steps of:

detecting said handset going off-hook;

transmitting a hold request to said second ~~device~~ modem in response to said handset going off-hook;

ceasing said communication with said second ~~device~~ modem over said communication channel by said first ~~device~~ modem for a period of time;

causing a dial tone to be generated for dialing an outgoing call using said handset;

and

keeping an upper layer protocol alive during said period of time.

Claim 45 (previously presented): The communication method of claim 44, wherein said hold request includes said period of time.

Claims 46-54 (cancelled)

Claim 55 (previously presented): The communication method of claim 44, wherein said transmitting step uses a secondary channel for transmitting said hold request.

Claim 56 (previously presented): The communication method of claim 44 further comprising the step of receiving an acknowledgement in response to said hold request.

Claims 57-69 (cancelled)

Claim 70 (currently amended): The ~~communication system~~ first modem of claim 32, wherein a dial tone is provided to said handset after said communication between said ~~devices~~ modems over said communication channel ceases.

Claims 71-72 (cancelled)

Attorney Docket No.: 00CON114P-CIP2

Serial No.: 09/393,616

Claim 73 (previously amended): A first modem capable of communicating with a second modem over a communication channel, a portion of said communication channel existing over a telephone line between said first modem a central office, said first modem comprising:

a receiver capable of receiving a relinquishment request, while said telephone line is in use by said first modem for communication with said second modem, to relinquish said use of said telephone line; and

a transmitter capable of transmitting a hold request to said second modem to place said communication between said modems on hold;

wherein said communication between said modems is placed on hold and said use of said telephone line is relinquished, and wherein said first modem causes a dial tone to be generated over said telephone line after said communication between said modems is placed on hold, and wherein said first modem keeps an upper layer protocol alive while said modems are on hold.

Claim 74 (previously presented): The first modem of claim 73, wherein a handset shares said telephone line with said first modem, and wherein said relinquishment request is received as a result of said handset going off-hook.

Claim 75 (previously presented): The first modem of claim 73, wherein said relinquishment request is received as a result of instructing said first modem to dial a number.

Claim 76 (previously presented): The first modem of claim 73, wherein a third device shares said telephone line with said first modem, and wherein said relinquishment request is received from said third device.

Claim 77 (previously presented): The first modem of claim 76, wherein said third device places a call on said telephone line.

Attorney Docket No.: 00CON114P-CIP2
Serial No.: 09/393,616

Claim 78 (previously presented): The first modem of claim 73, wherein said dial tone is received as a result of using a three-way call feature supported by said central office.

Claim 79 (currently amended): A method of sharing a telephone line for use by a first, said first modem ~~capable of being in~~ communicating with a second modem over a communication channel, a portion of said communication channel existing over said telephone line between said first modem a central office, said method comprising:

receiving a relinquishment request, while said telephone line is in use by said first modem for communication with said second modem, to relinquish said use of said telephone line;

transmitting a hold request to said second modem to place said communication between said modems on hold;

placing said communication between said modems on hold;

keeping an upper layer protocol alive;

relinquishing said use of said telephone line; and

causing a dial tone to be generated over said telephone line.

Claim 80 (previously presented): The method of claim 79, wherein a handset shares said telephone line with said first modem, and wherein said relinquishment request is received as a result of said handset going off-hook.

Claim 81 (previously presented): The method of claim 79, wherein said relinquishment request is received as a result of instructing said first modem to dial a number.

Claim 82 (previously presented): The method of claim 79, wherein a third device shares said telephone line with said first modem, and wherein said relinquishment request is received from said third device.

Attorney Docket No.: 00CON114P-CIP2
Serial No.: 09/393,616

Claim 83 (previously presented): The method of claim 82, wherein said third device places a call on said telephone line.

Claim 84 (previously presented): The method of claim 79, wherein said dial tone is received as a result of using a three-way call feature supported by said central office.

Claim 85 (currently amended): The ~~communication device~~ first modem of claim 32, wherein said ~~communication device~~ first modem keeps said upper layer protocol alive by manufacturing data and presenting said data to said upper layer to maintain an appearance of receiving said data from said ~~remote device~~ second modem.

Claim 86 (currently amended): The communication method of claim 44, wherein said step of keeping said upper layer protocol alive includes:

manufacturing data; and

presenting said data to said upper layer to maintain an appearance of receiving said data from said second ~~device~~ modem.

Claim 87 (previously presented): The first modem of claim 73, wherein said first modem keeps said upper layer protocol alive by manufacturing data and presenting said data to said upper layer to maintain an appearance of receiving said data from said second modem.

Claim 88 (previously presented): The method of claim 79, wherein said keeping said upper layer protocol alive includes:

manufacturing data; and

presenting said data to said upper layer to maintain an appearance of receiving said data from said second modem.